

REMARKS

Claims 1-19 are currently pending in the present application and have been rejected by the Patent Office as either being anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 6,389,766 to *Jackson* or in the alternative have been objected to under 35 U.S.C. § 103 as being obvious in view of the *Jackson* reference in combination with various other references.

Applicants respectfully overcome the *Jackson* reference by filing the enclosed Declaration under 37 C.F.R. § 1.131 swearing behind the *Jackson* reference. Specifically, Wesley T.K. Bischel, Richard D. Stackenwalt and James F. Mathis, co-inventors of the present invention, have executed the Declaration and have stated that the present invention was conceived in the United States prior to March 2, 2000, and coupled with due diligence, constructively reduced the invention to practice by timely filing a provisional application, from which this application claims priority, on November 3, 2000.

Documentary evidence, in the form of a copy of an invention disclosure prepared by the inventors, accompanies and forms part of the Declaration. As stated in the Declaration, the invention disclosure was completed prior to March 2, 2000, the effective date of the *Jackson* reference.

In light of the Declaration by all inventors and the accompanying documentary evidence, Applicants submit that the *Jackson* reference is not available prior art. Accordingly, Applicants submit that claims 1-19 are both novel and non-obvious. Applicants further note that the claims of the *Jackson* reference and the claims of the instant application are directed to patentably distinct inventions. For these reasons, Applicants respectfully request that the rejections under 35 U.S.C. §§ 102(e) and 103(a) be withdrawn.

Applicants submit that all the claims are believed to be in a condition for allowance.
If it is believed that any issues remain unresolved in the application, Applicants request that
the Examiner contact the undersigned.

Respectfully submitted,

6/25/03
Date

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